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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,588	10/02/2003	Jingrui Wu	38-15(52578)C	7647
66057	7590	03/18/2008	EXAMINER	
MONSANTO COMPANY (A&P)			KUMAR, VINOD	
800 N. LINDBERGH BOULEVARD				
MAILZONE E2NA			ART UNIT	PAPER NUMBER
ST. LOUIS, MO 63167			1638	
			MAIL DATE	DELIVERY MODE
			03/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application Number 	Application/Control No.	Applicant(s)/Patent under Reexamination
	10/678,588	WU ET AL.
Examiner	Art Unit	
VINOD KUMAR	1638	

Advisory Action After the Filing of an Appeal Brief	Application No.	Applicant(s)
	10/678,588	WU ET AL.
	Examiner VINOD KUMAR	Art Unit 1638

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 25 April 2007 is acknowledged.

1. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
 - a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
 - b. The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).
2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. The reply is entered. An explanation of the status of the claims after entry is below or attached.
4. Other: The reply filed is not entered because claims under appeal contain non-elected SEQ ID NOs, which must be cancelled. Applicant is reminded that SEQ ID NOs: 2-3, 6-7, 9, and 10 were withdrawn from examination and the restriction was made Final in the Office action mailed on 12/29/2005. 37 CFR 1.144; MPEP § 821.01.

/Phuong T. Bui/
Primary Examiner, Art Unit 1638